

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

LANDMARK LEGAL FOUNDATION
19415 Deerfield Ave, Ste. 312
Leesburg, VA 20176

Plaintiff,

vs.

ENVIRONMENTAL PROTECTION AGENCY
1301 Constitution Ave, NW
Washington, DC 20004

Defendant.

Case No. 1:12-cv-01726 (RCL)

PARTIES' JOINT DISCOVERY PLAN

Plaintiff, Landmark Legal Foundation (“Landmark”), and Defendant, United States Environmental Protection Agency (“EPA”), by and through undersigned counsel, and pursuant to this Court’s August 14, 2014 Order (Docket # 38) and Rule 29 of the Federal Rules of Civil Procedure and Local Rule 26.2, hereby jointly stipulate to the following discovery plan:

1. The parties have conferred to develop a discovery plan which will complete fact discovery by **December 20, 2013**. All of the parties agree to the Discovery Plan as described below.
2. Plaintiff will propound discovery requests as may be appropriate and in reasonable number under the circumstances as outlined by the Court in its Memorandum Opinion and as limited by Rule 33 and Local Rule 26.2(b). Plaintiff shall submit its initial Interrogatories and Request for Production of Documents by **September 18, 2013**. Defendant shall serve any

objections to these interrogatories by **September 25, 2013**. Responses to interrogatories and request for production of documents must be served by **October 16, 2013**. Plaintiff may serve additional discovery requests by **October 23, 2013**. Defendant shall serve any objections to subsequent discovery requests by **October 30, 2013**. Responses to subsequent discovery requests shall be served by **November 13, 2013**. All interrogatories shall be served pursuant to the requirements of Fed. R. Civ. P. 33.

3. Plaintiff may notice such depositions as Plaintiff believes are warranted. Depositions of relevant fact witnesses will commence after **November 4, 2013** and are to be completed **no later than December 20, 2013**. These dates are premised on timely production of documents and answers to interrogatories by Defendant.
4. EPA reserves all rights to object to any deposition.
5. The parties discussed discovery of electronically stored information and agreed that such information shall be produced in electronic, pdf format.
6. Preservation of Discoverable Materials: Defendant has represented that it is taking all reasonable steps necessary to preserve all discoverable material.

DATED: September 17, 2013

Respectfully submitted,

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